

# The Gazette of India

## EXTRAORDINARY PART II—Section 2 PUBLISHED BY AUTHORITY

No. 18] NEW DELHI, TUESDAY, APRIL 14, 1959/CHAITRA 24, 1881

### LOK SABHA

The following Bill was introduced in Lok Sabha on the 14th April, 1959:—

#### BILL No. 8 OF 1959

*A Bill further to amend the Displaced Persons (Compensation and Rehabilitation) Act, 1954.*

BE it enacted by Parliament in the Tenth Year of the Republic of India as follows:—

1. This Act may be called the Displaced Persons (Compensation and Rehabilitation) Amendment Act, 1959. Short title.

44 of 1954. 5 2. Section 30 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954, shall be re-numbered as sub-section (1) thereof, and after sub-section (1) as so re-numbered, the following sub-section shall be inserted, namely:— Amendment of section 30.

10 “(2) Notwithstanding anything contained in sub-section (1) if the Chief Settlement Commissioner is of opinion that a person is refusing or neglecting, or has refused or neglected, to pay any sum due under this Act, he may, after giving such person an opportunity of being heard, by order in writing stating the grounds therefor, direct that the provisions of sub-section (1) shall not apply to him, and thereupon such person shall cease to be entitled to the exemption conferred by that sub-section.”

## STATEMENT OF OBJECTS AND REASONS

Under sub-section (1) of section 21 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), any sum payable to the Government or to the Custodian in respect of any evacuee property or to the Government in respect of any property in the compensation pool may be recovered in the same manner as an arrear of land revenue; but section 30 of the Act prohibits the arrest or imprisonment of a defaulter for the purpose. Many defaulters who are otherwise capable of meeting the demands against them, particularly in respect of arrears of rent, have taken advantage of the protection given by section 30 with the result that huge arrears of rent have accumulated. Such defaulters are able to evade successfully all other methods of enforcing recovery. Even concessions for payment by instalments and facilities for adjusting arrears against the compensation due to them or to other displaced persons have evoked very little response. It has, therefore, become necessary to amend section 30 so as to permit the arrest of defaulters in cases where they refuse or neglect to pay the sums due from them. It is, however, proposed that exemption from arrest will be withdrawn only in cases where the Chief Settlement Commissioner, after giving an opportunity to the defaulter to be heard, is satisfied, for reasons to be recorded, that he should no longer enjoy such exemption.

NEW DELHI;

MEHR CHAND KHANNA.

*The 10th February, 1959.*

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M. N. KAUL,  
*Secretary.*